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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

PRESIDING OFFICER'S
RULING NO. MC2001-1/5

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Experimental Presorted
Priority Mail Rate Categories

Docket No. MC2001-1

PRESIDING OFFICER'S RULING
GRANTING POSTPONEMENT

(Issued May 14, 2001)

The Postal Service requests that the hearings currently scheduled for May 16, 2001, be postponed until May 21, 2001, and that the remaining dates in the current procedural schedule be postponed by one week.¹

In support of its motion, the Postal Service states that, pursuant to informal settlement discussions, a draft Stipulation and Agreement has been circulated among the parties. The Postal Service indicates that the draft Stipulation and Agreement, if ratified, may provide a means to resolve outstanding material issues, thereby possibly obviating the need for hearings in this proceeding. The Postal Service recognizes, however, that the failure to achieve settlement may require a procedural schedule similar to the currently effective one. Citing "the potential benefits to all parties and the Commission," the Postal Service requests postponement of the current procedural schedule so that the participants can devote their resources to the possibility of settlement. *Id.* at 1.

Finally, the Postal Service indicates that the following participants do not oppose its motion: Association of Priority Mail Users, Inc., Douglas F. Carlson, R.R. Donnelly &

¹ Motion of the United States Postal Service Seeking Postponement of Hearings, May 11, 2001.

Sons Company, Magazine Publishers of America, Inc., Newspaper Association of America, National Newspaper Association, National Postal Mail Handlers Union, Office of the Consumer Advocate, Parcel Shippers Association, David B. Popkin, and United Parcel Service. *Id.* at 2.

For good cause shown, the Postal Service's motion is granted. Given the Postal Service's representations, a brief postponement of the current procedural schedule is justified. A brief postponement will enable the participants to focus exclusively on settlement discussions, which, as the Postal Service notes, if successful, "could obviate the need for hearings." *Id.* at 1. A settlement, if achieved, would save both the participants' and the Commission's resources.

The procedural schedule is revised as set forth on the Attachment. The Postal Service is to notify the Presiding Officer by no later noon May 18, 2001 concerning the need to hold hearings now scheduled for May 21, 2001.

RULING

1. The Motion of the United States Postal Service Seeking Postponement of Hearings, filed May 11, 2001, is granted.
2. The revised procedural schedule is set forth on the Attachment.
3. The Postal Service is to advise the Presiding Officer by no later noon May 18, 2001 concerning the need to hold hearings now scheduled for May 21, 2001.


George Omas
Presiding Officer

PROCEDURAL SCHEDULE
(all dates in 2001)

May 21	Hearings (Cross-examination of Postal Service Witnesses)
May 25	Participant Statements Identifying Issues of Material Fact [See, Rule 67a(b)]
May 31	Responses to Statements Identifying Issues of Material Fact [See, Rule 67a(b)]
June 11	Filing of Participants' Testimony/Rebuttal to Postal Service
July 2	Discovery on Participants' Witnesses Ends
July 18-19	Hearings (Cross-examination of Participants' Witnesses)
July 26	Filing of Rebuttal to Participants' Testimony
Aug. 2	Hearings on Rebuttal Testimony
August 13	Filing of Initial Briefs
August 30	Filing of Reply Briefs